these Bills today. We can give priority to the Budget discussion. ...(*Interruptions*)... We can have the discussion tomorrow the day after tomorrow and on 17th.

This is my only suggestion.

THE LEADER OF THE OPPOSITION (SHRI SIKANDER BAKHT): I think what he was suggesting was that at least one Bill could be disposed of today. ...(*Interruptions*)....

THE VICE-CHAIRMAN (MISS SAROJ KHAPARDE): Two Bills are listed in today's List of Business. ...(*Interruptions*)...

SHRI PRANAB MUKHERJEE: If we dispose of one Bill today, then the other Bill can be taken up later on. ...(*Interruptions*)

THE VICE-CHAIRMAN (MISS SAROJ KHAPARDE): As suggested by Mr. Mukherjee, we can take up one Bill today and the other Bill later on. ...(*Interruptions*)...

DR. BIPLAB DASGUPTA: Madam, I am sorry that I did not hear it. ...(*Iinterruptions*)...

THE VICE-CHAIRMAN (MISS SAROJ KHAPARDE): That was the intention behind it. ..(*Interruptions*)

SHRI MD. SALIM: (West Bengal) Madam, my suggestion is that we can take up this Bill today and finish it. We can adjourn after some time after the Minister speaks. We can take up the Bill tomorrow and proceed. ....(*Interruptions*)...

THE LEADER OF THE HOUSE (SHRI I.K. GUJRAL): Madam, my only request is that I am in your hands if the hon. Members seek clarifications today. Tomorrow I am having some difficulty because we are having the Bangladesh-India Joint Commission meeting. My colleague from Bangladesh is coming there. Madam, either the hon. Members can seek clarifications today or we can have them the day after tomorrow, subject to your permission. ...(*Interruptions*)...

THE VICE-CHAIRMAN (MISS SAROJ KHAPARDE): I leave it to the House to decide. ...(*Interruptions*) Can we take it up the day after tomorrow? ...(*Interruptions*)... Is it okay, Mr. Gurudas Das Gupta? ...(*Interruptions*)...

DR. BIPLAB DASGUPTA: Madam, it is for Mr. Dasgupta to decide what should happen and what should not happen. ...(*Interruptions*)...

THE VICE-CHAIRMAN: (MISS SAROJ KHAPARDE): He is on the Government side. I will take your permission as well. ...(*Interruptions*)...

DR. BIPLAB DASGUPTA: We are not in the Government.

THE VICE CHAIRMAN: (MISS SAROJ KHAPADE): From here I do not want to make any comment in this regard. ... (*Interruptions*)...

Statutory Resolution Seeking Disapproval of the Special Court (Trial of Offences Relating to Transactions in Securities) Amendment Ordinance, 1997 (No. 6 of 1997) Promulgated by the President on the 16th January, 1997. And The Special Court (Trial of Offences Relating to Transactions in Securities) Amendment Bill, 1997.

श्री गोविन्दराम मिरी (मध्य प्रदेश): उपसभाध्यक्ष महोदया, मैं आप की अनुमति से निम्नलिखित संकल्प प्रस्तुत करता हूं:—

"यह सभा राष्ट्रपति द्वारा 16 जनवरी, 1977 को प्रख्यापित विशेष न्यायालय (प्रतिभूति संव्यवहार अपराध विचारण) संशोधन विधेयक, 1997 (1977 का संख्याक 6) का निरनुमोदन करती है।"

उपसभाध्यक्ष महोदया, मैं सरकार से यह जानना चाहता हूं कि अध्यादेश के जरिए कब तक वह काम चलाएगी? महोदया, इस प्रवृत्ति को बार-बार क्रिटिसाइज किया गया है, फिर सरकार की ऐसी क्या अर्जेन्सी थी या मजबूरी थी कि इस अध्यादेश को लागू किया गया? इसलिए मैं बिल के संशोधन की जो भावना है, उस का तो समर्थन करता हूं, लेकिन अध्यादेश लाने की जो प्रवृत्ति है, उस का विरोध कर रहा हूं। महोदया, हमारे यहां बैंकों का प्रतिभूति घोटाला एक बहुत बड़ा घोटाला

हुआ जिस की जांच के लिए जे०पी०सी० बिठाई गई और जिस ने पूरी मेहनत-मशक्कत कर के रिपोर्ट प्रस्तुत की, लेकिन उस के बाद भी अभी तक उस पर कोई फैसला नहीं हुआ और जैसा कि बताया गया चूंकि मामला लंबित है, इसलिए विशेष न्यायालय का गठन किया जा रहा है। व्यवहार में यह देखा गया है कि विशेष न्यायालयों का अनेक मामलों में गठन किया गया है। ज्यों ज्यों हम विशेष न्यायालय गठित करते जाते हैं, त्यों त्यों मुकदमों की संख्या बढ़ती जाती है। इसमें मेरा यह कहना है कि जहां हम अदालतों की संख्या बढ़ा रहे हैं, जजों की संख्या बढ़ा रहे हैं, वहीं इन्वेस्टीगेटिंग जो एजेन्सी हैं, प्रोसीक्यूशन जो एजेन्सी है उसको भी मजबूत बनाया जाए। प्रोसीक्यूशन एजेन्सी अगर न्यायालय में मामला कमजोर पेश करती है तो उसमें अपराधी छूट जाते हैं और उसका हश्र जो है वह अच्छा नहीं होता।

महोदया, दूसरी बात यह है, इसमें यह हक उपबंध किया गया है कि उच्च-न्यायालय के कार्यरत न्यायाधीश महोदय पीठासीन अधिकारी होंगे। अब अगर हाईकोर्ट को ट्रायल कोर्ट बनाया जाता है तो फिर सुप्रीमकोर्ट में अपील की गुंजाइश रह जाती है।

महोदया, मुझे विश्वास है कि मंत्री जी इन बातों पर विचार करेंगे। इसके साथ ही मेरा यह भी निवेदन है कि मामले के निपटारे के लिए कोई टाइम बाउण्ड प्रोग्राम बना दिया जाना चाहिए। अब यह जो अधिनियम है वह 1992 में बना था और अब 1997 को गया यानि पांच साल में कितने लोगों को सजा हुई, कितने केस में निपटारा हुआ, इसका कोई भी लेखाजोखा हमारे पास नहीं है। मैं यह चाहता हूं कि अपने जवाब में इसकी जानकारी मंत्री महोदय अवश्य दें। आगे की बात मैं अपने वरिष्ठ सहयोगी के लिए छोड़ता हूं। धन्यवाद।

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI M.P. VEERENDRA KUMAR): Madam Vice-Chairperson, the Special Court (Trial of Offences Relating to Transactions in Securities) Act, 1992, was enacted on 6th June, 1992, to provide for the establishment of a Special Court for the trial of offences relating to transactions in securities and other matters connected therewith, or, incidental thereto.

The Act conferred powers upon the Central Government to establish a Special Court, consisting of a sitting judge of the High Court. The Government established, in 1992, at Mumbai, the Special Court, consisting of a sitting judge of the Mumbai High Court, i.e. Justice S.N. Vairava, for dealing with these cases.

Since the establishment of the Special Court in 1992, 2,910 cases have been filed before the Special Court. In addition, the Central Bureau of Investigation has also registered 70 cases relating to irregularities in transactions of securities; and, in 18 cases, chargesheets have been filed in the Special Court.

The main objective of enactment of the Special Court (Trial of Offences Relating to Transactions in Secuirities) Act, 1992, was the speedy trial of offences relating to tranactions in securities.

The Government has considered the question of expeditious disposal of cases pending in the Special Court. It has, therefore, become necessary to appoint additional judges in the Special Court so that the pending cases could be speedily disposed of.

As Parliament was not in session, the President promulgated, on 16th January, 1997, the Special Court (Trial of Offences Relating to Transactions in Securities) Amendment Ordinance, 1997, to provide for the appointment of additional judges in the Special Court, and also to provide for the assignment of cases amongst them. Justice M.S. Rane, a sitting judge of the Mumbai High Court, has since been appointed as the additional judge of the Special Court.

This Bill seeks to replace the above-said Ordinance promulgated by the Pesident on 16th January, 1997. The Lok Sabha has already passed this Bill on 4th March, 1997.

Madam, with these observations, I commend the Bill for the consideration of the House.

The questions were proposed.

THE VICE-CHAIRMAN (MISS SAROJ KHAPARADE): Now, the Resolution and the Bill are open for discussion.

Shri Triloki Nath Chaturvedi.

SHRI MD. SALIM (West Bengal): Madam, It is already five past five. I made a suggestion that these could be moved, that we could then adjourn the House and that we could take them up tomorrow.

THE VICE-CHAIRMAN (MISS SAROJ KHAPARADE): Let us pass this Bill today.

SHRI MD. SALIM: Madam, This is an important Bill. So many questions are there. ...*(Interruptions)*

THE VICE-CHAIRMAN (MISS SAROJ KHAPARADE): I think we should pass this Bill today. It will take hardly any time.

SHRI MD. SALIM: I think we should not pass this Bill in such a hurry. We can consider it tomorrow. There is nothing important. Nothing is going to happen overnight about the Special Court. ...*(Interruptions)*

THE VICE-CHAIRMAN (MISS SAROJ KHAPARADE): I will agree to whatever the House decides.

SHRI R.K. KUMAR (Tamil Nadu): Let us adjourn the House Now. If the Government does not want to dispose of its business, why should we bother about it? ...*Interruptions)*

THE VICE-CHAIRMAN (MISS SAROJ KHAPARADE): We can adjourn now and pass the Bill tomorrow. The Minister has made his speech. We can adjourn now.

SHRI R.K. KUMAR: You ask the Minister whether he wants it to be passed today or not.

SHRI MD. ASLIM: Nothing is going to happen.

SHRI R.K. KUMAR: Madam, it is such a small Bill. ...*(Interruptions)*

SHRI PRANAB MUKHERJEE (West Bengal): Madam, as has been mentioned, in order to have more time for the Budget Discussion, we wanted to take it up today. It was indicated that the Budget Discussion would take place from tomorrow onwards.

I understand that the Lok Sabha has not yet taken up the Budget Discussion. Technically, there is no bar to this House taking it up. This House can also take it up. There have been occasions when Budget Discussions have been initiated in this House also. I was informed of this by the Secretariat now.

As we have decided earlier, let us adjourn now. These two Bills can be taken up tomorrow. We can dispose of them and we can take up the Budget Discussion in whatever time is left.

As we have agreed, from tomorrow onwards for three days when we will have Budget Discussions, we will sit for an extra hour so that Members can get time to participate in it. Let us take an extra hour from tomorrow onwards, not from today. This is my submission to you for consideration.

SHRI GURUDAS DAS GUPTA (West Bengal): I agree with the hon. Member.

THE VICE-CHAIRMAN (MISS SAROJ KHAPARADE): Mr. Gurudas Das Gupta?

SHRI GURUDAS DAS GUPTA: Such a senior Member has made the suggestion. Now can I say no to it?

उपसभाध्यक्ष (कुमारी सरोज खापर्डे): भंडारी जी, आपकी क्या राय है?

श्री राम देव भंडारी (बिहार): मेडम, मैं भी इनसे सहमत हूं, जो प्रणब मुखर्जी साहब ने कहा है।

THE VICE-CHAIRMAN (MISS SAROJ KHAPARADE): I have to take your suggestion also into consideration, Mr. Das Gupta. How can I adjourn the House without taking your suggestion into consideration? I have to take permission from you also.

SHRI R.K. KUMAR: You are asking only Mr. Gurudas Das Gupta for every thing. Are we not Members here? ...*(Interruptions)*

THE VICE-CHAIRMAN (MISS SAROJ KHAPARADE): Mr. Das Gupta, I have to take permission from you. What is this?

SHRI GURUDAS DAS GUPTA: I only bow down to the suggestion made by Mr. Pranab Mukherjee.

SHRI R.K. KUMAR: Madam, we are also sitting here since five o'clock, but you are asking Mr. Gurudas Das Gupta only. What is this?

THE VICE-CHAIRMAN (MISS SAROJ KHAPARADE): Mr. Kumar? Mr. Chaturvedi?

SHRI R.K. KUMAR: Okay, whatever you decide. ...*(Interruptions)*

SHRI TRILOKI NATH CHATURVEDI: (Uttar Pradesh) Madam Vice-Chairman, the complaint of Mr. Kumar or his request to you is: how is it that every time you seek advice or views of the two Guptas only?

THE VICE-CHAIRMAN (MISS SAROJ KHAPARADE): I looked to this side also. I wanted to take permission from Mr. Kumar and from you also. ...*(Interruptions)*

SHRI TRILOKI NATH CHATURVEDI (Uttar Pradesh): But I say that they are two subversive elements. So, naturally, the Chairperson has to address them always. They are part of the Government, and you know the Constitution. ...*(Interruptions)*

THE VICE-CHAIRMAN (MISS SAROJ KHAPARDE): I will not adjourn the House till I get permission from Mr. Kumar, from you and from others also.

SHRI TRILOKI NATH CHATURVEDI: I agree with the two Das Guptas.

SHRI GURUDAS DAS GUPTA: Madam, may I make a comment?

THE VICE-CHAIRMAN (MISS SAROJ KHAPARDE): Mr. Kumar?

SHRI R.K. KUMAR: Madam, I will agree to whatever you decide.

THE VICE-CHAIRMAN (MISS SAROJ KHAPARDE): No. Don't agree with whatever I say. Please give me your opinion about it.

SHRI R.K. KUMAR. Originally I thought that this would not take much of time. Mr. Pranab Kukherjee very rightly made the suggestion. That is why we discussed it with the hon. External Affairs Minister also. This is a Bill which should be rushed through. There is nothing in this Bill. Why should we postpone it? This is my view. But I will abide by the Chair.

THE VICE-CHAIRMAN (MISS SAROJ KHAPARDE): If I adjourn the House now with your permission, do you have any objection?

SHRI R.K. KUMAR: No, I have no objection. I have made my point. It is for the Minister of State to say how urgently the Bill has to be passed. ...*(Interruptions)*

THE VICE-CHAIRMAN (MISS SAROJ KHAPARDE): After taking the sense of the House into consideration, I adjourn the House till 11-00 a.m. tomorrow.

The House then adjourned at ten minutes past five of the clock till eleven of the clock on Wednesday, the 12th March, 1997.